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11 Attorneys for Defendant  
VNGR BEVERAGE, LLC d/b/a POPPI

12 UNITED STATES DISTRICT COURT  
13  
14 NORTHERN DISTRICT OF CALIFORNIA

15 In re VNGR BEVERAGE, LLC  
16 LITIGATION

Case No. 4:24-cv-03229-HSG

**JOINT STIPULATION TO CONTINUE THE  
MOTION TO DISMISS HEARING; ORDER**

17  
18 This Document Relates to:  
Case No. 4:24-cv-06666-HSG  
19  
20

Dept: Courtroom 2  
Judge: Judge Haywood S. Gilliam, Jr.

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Kristin Cobbs, Carol Lesh, Sarah  
2 Colemand, and Megan Wheeler (“Plaintiffs”) and Defendant VNGR Beverage, LLC d/b/a Poppi  
3 (“Defendant” or “Poppi,” and together with “Plaintiffs,” the “Parties”) hereby jointly stipulate and  
4 agree as follows:

5 1. WHEREAS, the above consolidated action, *In re VNGR Beverage, LLC Litigation*,  
6 Case No. 4:24-cv-03229-HSG (ECF No. 1) is presently pending before the Court;

7 2. WHEREAS, on August 20, 2024, Plaintiffs filed a Second Amended Consolidated  
8 Complaint (“SAC”) (ECF No. 35);

9 3. WHEREAS, on September 23, 2024, Poppi filed its Motion to Dismiss the SAC,  
10 which is currently scheduled for a hearing before this Court on December 5, 2024 at 2:00 p.m.  
11 (ECF No. 37);

12 4. WHEREAS, the Parties have conferred regarding the December 5 hearing date, and  
13 agree that a short continuance of the hearing, until December 19, 2024, would benefit the parties;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties  
15 hereto, through their undersigned counsel, as follows:

16 1. The Court may continue the motion to dismiss hearing, currently scheduled for  
17 December 5, 2024 at 2:00 p.m., to December 19, 2024 at 2:00 p.m., or to the next available and most  
18 convenient date for the Court.

19 2. The Parties are not waiving any rights, claims, or defenses of any kind except as  
20 expressly stated herein, and the Parties reserve the right to seek further extensions of time as  
21 circumstances may warrant, subject to the Court’s approval.

1 Dated: October 18, 2024

**COOLEY LLP**

2  
3 /s/ Megan L. Donohue

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20 Attorneys for Defendant  
21 VNGR BEVERAGE, LLC d/b/a POPPI

22 Dated: October 18, 2024

**BURSOR & FISHER, P.A.**

23 /s/ L. Timothy Fisher

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Co-lead Interim Class Counsel

**ATTESTATION OF CONCURRENCE IN FILING**

Pursuant to the United States District Court for the Northern District of California, Civil L.R. 5-1(i), I, Megan L. Donohue, hereby attest that the concurrence to the filing of the foregoing document has been obtained from the signatories.

Dated: October 18, 2024

**COOLEY LLP**

/s/ Megan L. Donohue

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VNGR BEVERAGE, LLC d/b/a POPPI

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Court, having considered the parties' Joint Stipulation to Continue the Motion to Dismiss Hearing, pursuant to Civil Local Rules 6-2 and 7-12, the Court hereby continues the December 5, 2024 motion to dismiss hearing until December 19, 2024 at 2:00 p.m.

Dated: 10/21/2024

By:   
Judge Haywood S. Gilliam, Jr.